YOUR HONOR,

respectfully

I PLEAD NOT GUILTY AND REQUEST THAT THE CHARGE BE DISMISSED BECAUSE SECTION 245.01 OF THE PENAL LAW IS UNCONSTITUTIONAL IN THAT IT VIOLATES THE EQUAL PROTECTION CLAUSE OF THE 14TH AMENDMENT OF THE UNITED STATES CONSTITUTION AND THE EQUAL PROTECTION CLAUSE, ARTICLE I, SECTION 11, OF THE NEW YORK STATE CONSTITUTION.